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RESPONSE UNDER 7-24-02
37 C.F.R. § 1.116

EXPEDITED PROCEDURE
EXAMINING GROUP 2834

PATENT
2565-0136P
TECHNOLOGY CENTER 2800
JUL 22 2002
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IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Shusou WADAKA, et al. Conf.: 2419
Appl. No.: 09/202,070 Group: 2834
Filed: December 8, 1998 Examiner: Mark O. BUDD
For: FILM ACOUSTIC WAVE DEVICE AND ITS MANUFACTURING
METHOD AND CIRCUIT DEVICE

**NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Assistant Commissioner for Patents
Washington, DC 20231

July 18, 2002

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated June 20, 2002 of the Primary Examiner finally rejecting claims 2-14 and 42-62.

The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of one (1) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$110.00 is required for the **full period** of the above-requested extension of time.

An extension of _____ () month(s) for responding to the Final Rejection was previously requested and paid for on _____. Thus a fee of \$0.00 is required to obtain an additional _____ () month(s) for filing the Notice of Appeal.

- Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

- Large entity - \$320.00
 Small Entity - \$160.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$430.00.

Payment of the above TOTAL FEE is being made in the following manner:

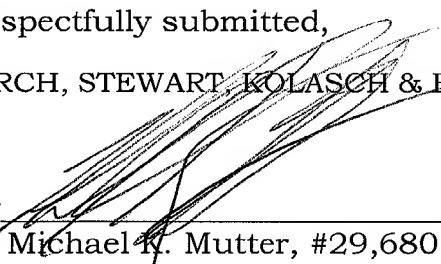
- Check(s) in the amount of \$430.00 is/are enclosed.
 Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


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2565-0136P

(Rev. 02/20/02)